


**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

BRIAN PALUCH, <i>et al.</i>	:	CIVIL ACTION
	:	
v.	:	NO. 18-4765
	:	
WAKEFERN FOOD CORP., <i>et al.</i>	:	

ORDER

AND NOW, this 27th day of February 2019, upon considering Plaintiffs' Motion for voluntary dismissal (ECF Doc. No. 52) and Responses from Wabash National Corporation and Third Party Defendant Northeast Fleet Service, Inc. (ECF Doc. Nos. 60, 61), following our February 19, 2019 conference with all counsel during which Defendants Wakefern Food Corp. and Whiting Door Manufacturing Corporation did not oppose voluntary dismissal, Defendant Wabash National Corporation's Motion to amend to add claims (ECF Doc. No. 53), Plaintiffs' Motion to Amend to add a non-diverse defendant (ECF Doc. No. 54), and finding Plaintiffs are now pursuing claims against a non-diverse defendant arising from the same incident involving the same personal injuries in state court against parties who could bring all potentially responsible before one state court, and for reasons in the accompanying Memorandum, it is **ORDERED**:

1. We **grant** Plaintiffs' Motion to voluntarily dismiss (ECF Doc. No. 52);
2. We **deny** Wabash National Corporation's Motion to amend (ECF Doc. No. 53) to add claims without prejudice to seek remedies in state court;
3. We **deny** Plaintiffs' Motion to amend (ECF Doc. No. 54) as moot; and,
4. The Clerk of Court shall close this case.



KEARNEY, J.